

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

No. 4:19-cv-701-DPM

**THE REAL PROPERTY LOCATED AT
1501 ROCKWATER LANE, NORTH
LITTLE ROCK, AR 72114, COMMONLY
REFERRED TO AS ROCKWATER
VILLAGE, LOT 10; THE REAL PROPERTY
LOCATED AT 1505 ROCKWATER LANE,
NORTH LITTLE ROCK, AR 72114,
COMMONLY REFERRED TO AS
ROCKWATER VILLAGE, LOT 11;
THE REAL PROPERTY LOCATED AT
5064 COPPERGLEN CIRCLE,
COLLEYVILLE, TX 76034; \$36,528.34;
ORIGIN BANK CHECK NUMBER 025111;
and THE REAL PROPERTY LOCATED
AT 3600 JOHN F KENNEDY BLVD
AND 105 E F AVENUE, NORTH LITTLE
ROCK, AR 72116**

DEFENDANTS

**DELOIS BRYANT; LYNDIA
BRYANT-CHARLES; ANTHONY CHARLES;
BRENDA SHERPELL; ROSIE BRYANT;
and APRIL BELL**

CLAIMANTS

ORDER

1. Status reports, *Doc. 43-46*, noted. The Court has been focused on other matters and apologizes for neglecting this case. It is time to get it back on the rails.

2. Jarrett's motion to withdraw, *Doc. 42*, is granted. He has retired. The Court already appointed lawyers for the Bryant sisters in their criminal appeals. Pursuant to the Criminal Justice Act and this Court's CJA plan, the Court will reappoint counsel for the sisters in this related forfeiture proceeding.

Lynda Charles

Geoffrey D. Kearney
Law Office of Geoffrey D. Kearney
Post Office Box 8276
Pine Bluff, AR 71611
870-376-3068
gdk@gdkpllc.com

Rosie Bryant

Donald R. Etherly
Attorney at Law
423 Rightor Street
Helena, AR 72342
870-338-6487, Ext 3
donetherly@gmail.com

Delois Bryant

John C. Barttelt
Attorney at Law
2333c Highway 62/412
Hardy, AR 72542
870-933-9400
barttelt@yahoo.com

Brenda Sherpell

Darrell F. Brown Jr.
The Law Offices of Darrell Brown Jr.
10515 West Markham Street, Suite H1
Little Rock, AR 72205
501-823-0614
darrell@dfbrownjrlaw.com

Counsel will represent each sister in her individual capacity. The Court does not appoint counsel for Anthony Charles. He may proceed *pro se* unless he hires a new attorney.

3. Eight “Destiny by Design” entities* have also made claims to two of the parcels, 3600 John F. Kennedy Boulevard and 105 East F Avenue. *Doc. 18*. These entities must have lawyers. *Carr Enterprises, Inc. v. United States*, 698 F.2d 952, 953 (8th Cir. 1983). Notwithstanding their connections to Destiny by Design, the Bryant Sisters cannot

* Destiny by Design C.D.C., Inc.; Destiny by Design Church @ Park Hill; Destiny by Design @ Park Hill; Destiny by Design Ministry; Destiny by Design, Inc.; Destiny by Design International; Destiny by Design Church; and Destiny by Design.

represent the entities in court proceedings. This Court therefore orders the Destiny by Design entities to secure counsel, and that lawyer must appear in this case by 20 September 2024. If a lawyer for the Destiny by Design entities does not appear in this case by September 20th, the entities shall be deemed to have abandoned their claims to the parcels.

4. The Court directs the Clerk to send copies of this Order to the Bryant sisters' newly appointed lawyers and directly to each sister. The sisters currently reside at City of Faith, 1400 South Garfield Dr., Little Rock, AR 72204. Anthony Charles's address can be found in his most recent filing. *Doc. 46 at 2.*

5. The Court notes the ongoing foreclosure proceedings in the Circuit Court of Pulaski County, Arkansas. *City of North Little Rock Municipal Property Owners' Multipurpose Improvement District No. 25 (North Bluffs Project) v. Anthony Charles, Sr. and Lynda B. Charles, et al.*, Case No. 60CV-24-2299.

6. The Court will enter a Scheduling Order soon, but here are the key dates. Any motion for summary judgment must be filed by 15 October 2024. That deadline is firm; no extensions absent truly extraordinary circumstances. Responses are due within twenty-one days. Replies are due within seven days. To keep the case on track, those deadlines are firm, too. Trial, if necessary, will be scheduled for 28 January 2025.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

15 August 2024